

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

DEFENSE DISTRIBUTED, et al., §  
Plaintiffs, §  
§  
v. § No. 1:15-cv-372-RP  
§  
§  
U.S. DEPARTMENT OF STATE, et al., §  
Defendants. §

**UNOPPOSED MOTION FOR EXTENSION OF TIME**  
**TO ANSWER OR OTHERWISE RESPOND**

Pursuant to Fed. R. Civ. P. 6(b), the U.S. Department of State, the Directorate of Defense Trade Controls, and the official-capacity Defendants in this matter hereby move for an extension of time in which to answer or otherwise respond to Plaintiffs' Complaint until twenty-one days from this Court's ruling on the pending Motion for Preliminary Injunction.

1. An extension of time will serve the interests of judicial economy and the efficient management of this litigation. As an initial matter, the Court has taken under advisement Plaintiffs' Motion for Preliminary Injunction, following the July 6, 2015 hearing on that motion.<sup>1</sup> Plaintiffs have therefore had an early opportunity to be heard by the Court, and the Court is already considering several issues likely to be presented in the official-capacity Defendants' response, such as the likelihood that the jurisdictional prerequisite of standing is met for Plaintiffs' Second Amendment claims. Duplicative briefing on such issues before a ruling on the Motion for Preliminary Injunction will not materially assist the Court and would not represent a useful investment of time and resources by the parties.

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<sup>1</sup> Apart from the claims for damages against the individual-capacity Defendants, Plaintiffs' Motion for Preliminary Injunction encompasses all of the claims and relief sought in this action. *See* ECF No. 7.

2. The requested extension of time will not cause any delay to the progress of this litigation. This Court's forthcoming ruling on the Motion for Preliminary Injunction will likely affect the nature and scheduling of further proceedings. Therefore, any further proceedings should await this Court's ruling.

3. Pursuant to Local Civil Rule 7(i), undersigned counsel and counsel for Plaintiffs have conferred on several occasions over the last week to discuss the schedule for further proceedings, and the relief sought in this motion represents the good-faith effort by the parties to resolve this matter by agreement. In addition, undersigned counsel has raised the relief sought in this motion with counsel for the individual-capacity Defendants, and the individual-capacity Defendants do not oppose this motion.

4. The parties further contemplate that, within twenty-one days from this Court's ruling on the Motion for Preliminary Injunction, they will confer regarding further proceedings.

The official-capacity Defendants therefore respectfully request that the Court grant this unopposed motion and enter the attached proposed order extending the time for them to answer or otherwise respond to Plaintiffs' Complaint until twenty-one days after a ruling on the Motion for Preliminary Injunction.

Dated: July 13, 2015

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on July 13, 2015, I electronically filed this document with the Clerk of Court using the CM/ECF system, which will send notification to

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